

## MAJORITY REPORT OUSTS SOCIALISTS

Five Assemblymen Are Con-  
victed by Committee on  
Every Charge.

### AS PERPETUAL TRAITORS'

Party Held Made Up of Such  
and They Are Assumed to  
Represent Party.

Special to THE SUN AND NEW YORK HERALD.  
ALBANY, March 30.—The Socialist  
party of America is branded as an  
organization composed of perpetual traitors  
in a majority report filed today by the  
Judiciary Committee of the Assembly  
recommending the expulsion from the  
legislature of the five Socialist members  
from New York.

The report devotes little discussion to  
the personal character or acts of the five  
Socialist Assemblymen, concerning itself  
entirely with arguments in support of  
the proposition that the party which  
elected them is composed largely of for-  
eigners and non-voters and is inherently  
un-American. The men elected by the  
party, the report contends, must be as-  
sumed to represent the principles of  
their party, and hence must be regard-  
ed as unacceptable by loyal men in the  
Assembly.

Every charge made in the accusations  
against the five men, and which have  
been thrashed out in long hearings, is  
supported as having been established by  
the majority report. The report was  
prepared without debate, but by a spe-  
cial order it will be fully debated to-  
morrow.

Minority reports were submitted by  
members of the committee who dissented  
from the findings of the majority. These  
were signed by five members and op-  
posed the unseating of the Socialists,  
taking the position that even if Socialism  
is un-American and the Assemblymen  
are guilty of the charges made, the Leg-  
islature has not the authority to oust  
members elected according to the law.  
Mr. Evans wrote a report proposing the  
five be seated, Messrs. Felt and Stitt  
joined in a report stating there was not  
sufficient evidence to justify expulsion.  
Mr. Flood and Mr. Block wrote dis-  
senting reports and Mr. Low was for seat-  
ing two of the five, De Witt and Orr.

### Final Vote To-morrow.

Action on the reports will be made a  
regular order of business in the As-  
sembly to-morrow and it is expected a  
final vote will be taken on Thursday.  
Simon Adler, majority leader, and  
Reese will speak and will vote  
against the ousting. They have not an-  
nounced their positions, but they have  
been credited with trying to start a  
fight against the expulsion of the five  
Socialists. But it is understood they  
will be content with stating their views  
and voting against the majority. Mr.  
Adler introduced the original resolution  
ousting the Socialists during the trial.

"I am not a party to any concerted  
action," Col. Roosevelt said. "I cannot  
approve of the expulsion of the five  
Socialists from the Assembly. I am a  
Republican and I am a member of the  
Legislature. Whatever I do or say will be  
as an individual and not as a part of  
any movement agreed upon with others."  
But the five Assemblymen will not  
out before the end of the week. That  
is regarded as a certainty. The only  
question remaining, which is being dis-  
cussed in the Capitol in connection  
with the case, is what will be the vote.  
Predictions are that it will be more  
than 100, possibly between 110 and 120.

### Text of Report.

The report, a document more than  
eighty pages in length, after reviewing a  
great part of the evidence submitted, in-  
cluding that of the five Socialists and  
portions of the argument of Morris Hill-  
quith, their counsel, sets forth:

"We therefore find that each and  
every charge made against the five So-  
cialist Assemblymen in the resolution  
submitted by the Assembly at the opening  
of the session, and thereby accepted as  
the basis for the inquiry into the qual-  
ifications of these five men to seats in  
the Assembly, has been established."

"We further find that each and every  
charge made against the five Socialists  
in the resolution submitted by the As-  
sembly at the opening of the session, and  
thereby accepted as the basis for the in-  
quiry into the qualifications of these five  
men to seats in the Assembly, has been  
established, and we therefore re-  
port our determination as follows:

"That Louis Waldman, August Claessens,  
Charles Solomon, Samuel A. de  
Witt and Samuel Orr, for the aforesaid  
reasons, are, and each of them is, not  
obedient to the Constitution and laws  
of the United States and the State of  
New York, nor are they desirous of the  
welfare of the country, nor in hearty  
accord and sympathy with its govern-  
ment and institutions, and for said rea-  
sons, and also because of all the other  
facts and reasons above set forth they  
are, and each of them is, disqualified to  
occupy seats in the Assembly of the  
State of New York as members thereof."

"That because of such disqualification  
they were, and each of them was, in-  
capable of taking the oath of office pre-  
scribed by the Constitution of the State  
according to the real intent and purpose  
of the constitutional provisions requir-  
ing the taking of such oath."

"That by formally subscribing to said  
oath their position, in view of their dis-  
qualification, is no different than if  
they had been had they refused to  
take the said oath."

"That they therefore are not entitled  
to have or to hold seats in the As-  
sembly and that the seats to which they  
are elected be declared vacant."

"In our opinion," says the report else-  
where, "all the evidence presented in  
regard to this group or organization  
(the Socialist party) from the time of  
the sinking of the Lusitania to the close  
of the war clearly indicates that aid  
and comfort were given by such or-  
ganization, and that these Assembly-  
men, being members thereof and sol-  
emnly pledged to carry out all of its  
mandates and proclamations, and as  
also paying members supporting it with  
their contributions, were equally respon-  
sible with it. The Socialist party of  
America as now constituted is not a  
loyal American organization, disgraced  
occasionally by the traitorous act or  
betrayal of a member, but is a dis-  
loyal organization composed exclusively  
of perpetual traitors."

The report concludes with a recom-  
mendation that legislation be enacted  
making it impossible hereafter for any  
party in which aliens are acceptable and  
whose principles are repulsive to an  
organization composed of persons not  
members of the electorate to have an  
official ballot.

## The Right Time To Invest

It is difficult to know when  
to buy most forms of invest-  
ment. Every investor hopes to get  
them before a big rise and that  
hope is seldom realized.

Any time you have money is  
the time to buy our Guaranteed  
Mortgages.

There is no question about  
their safety and no matter what  
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can get the benefits of our  
guarantee.

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in the past 28 years and no in-  
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## BOND & MORTGAGE GUARANTEE CO.

Capital and Surplus, \$11,000,000  
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67 Jackson Ave., Long Island City

## NEW PEACE TREATY FAULTY, SAYS COLBY

Declares G. O. P. Plan Will  
Run Against Snag of Un-  
constitutionality.

Special to THE SUN AND NEW YORK HERALD.

WASHINGTON, March 30.—Secretary  
of State Colby joined with President  
Wilson today in his effort to block or  
defeat the passage by Congress of a  
resolution separate from the Versailles  
treaty declaring peace between the  
United States and Germany.

Following the action of the President  
in letting House Democrats know that  
he desired them to make every effort  
to defeat the peace resolution now be-  
ing framed by Republican leaders, Rep-  
resentative Flood (Va.) ranking Demo-  
crat on the House Foreign Affairs  
Committee, conferred today with Mr.  
Colby. As a result Mr. Flood stated  
that Mr. Colby, after State Department  
experts had made a careful study of the  
constitutional history of the United  
States, was of the opinion that Congress  
had no power to pass the proposed res-  
olution, and that it would be ineffective.  
It is evident that the President, in  
desiring to be placed in the position of  
blocking the resolution for the third time,  
is exerting all his influence otherwise  
to prevent the enactment of the peace res-  
olution. Republican leaders are going  
ahead steadily with their plans for sub-  
mitting the resolution to the House.  
The continued illness of Representative  
Flood (Va.), chairman of the Foreign  
Affairs Committee, has caused the intro-  
duction of the resolution to be post-  
poned again today.

### Republicans Remain Firm.

However, there is no indication of the  
Republicans backing down because of  
the attack directed from the White  
House. Representative Rogers (Mass.),  
acting chairman of the committee, said  
that the resolution probably would be  
introduced to-morrow.

Leaders of both parties have advised  
all members to remain here this week,  
particularly Thursday and Friday, in-  
dicating that present plans are to call  
up the resolution on these days. Rep-  
ublicans will be a unit when the res-  
olution is submitted, so that the Demo-  
cratic objectors will not prevent the passage  
of the measure.

Mr. Flood thinks the Democrats virtu-  
ally will be a unit in opposition to the  
resolution, although he said he could  
make no statement until he had seen a  
copy of the measure as framed by the  
Republicans. However, he said the  
Democrats would fight any resolution  
declaring peace that takes a hand in  
any way in the international relations  
of the country, which he holds are en-  
tirely matters for the President and  
the Senate. He added:

"Mr. Colby is of the opinion that all  
Congress can do is to repeal the war  
laws it believes should be repealed, but  
that the proclamation or the declaration  
of peace, since both amount to the same  
thing, is a step for the President to take  
and with the advice and consent of the  
Senate."

### What Democrats Aim At.

Most of the Democrats in the House  
supporting Mr. Flood and the Admin-  
istration is now believed, will seek to  
make the peace resolution rolling more  
than a declaration of peace on a certain date  
the war time powers given by law to  
the President will start to expire, ac-  
cording to their own legislative terms,  
which range from one year to five years  
thereafter. The effect of the resolution  
would be to substitute for the language  
"the termination of the war" as it appears  
in the various laws, a specific date, but no mention of declar-  
ing peace would be made.

Mr. Colby and the State Department  
in backing up the President's wish for  
that the resolution be repealed, are con-  
flicting information on the question,  
which will be used by Mr. Flood and  
other Democrats in the debates.

## U. S. PUTS MARTENS IN REVOLTER CLASS

Brief in Deportation Case  
Shows 'Ambassador' Is in  
Anarchistic Party.

### IS A GERMAN CITIZEN TOO

Served in Kaiser's Army After  
Imprisonment in Russia  
as Revolutionist.

Special to THE SUN AND NEW YORK HERALD.

WASHINGTON, March 30.—On the eve  
of a secret hearing for Ludwig K. C. A.  
Martens, Bolshevik Ambassador to the  
United States, before Acting Secretary  
of Labor Post, the Department of Justice  
made public to-night a brief of the Gov-  
ernment's deportation case against  
Martens. In the opinion of Assistant  
Attorney-General Garvan and other of-  
ficials, the facts present a "perfect case"  
for deportation under the October, 1918,  
amendment to the Immigration laws,  
providing for the deportation of aliens  
who are members of any organization  
that believes in teaching or advocating  
the overthrow of the United States Gov-  
ernment by force.

This brief of the government's case  
was prepared by J. Edgar Hoover, spe-  
cial assistant to the Attorney-General,  
who will present it at the hearing to-  
morrow. Martens, though technically in  
this country, is free on the assurance of  
former Senator Harwick, his counsel, that  
he will appear. The Department of Jus-  
tice urged that a heavy bail bond be  
fixed for him, but this was ignored by  
the Labor Department.

A warrant for the arrest of Martens  
was not issued until January 2 last,  
when John W. Abernethy became Act-  
ing Secretary of the Department, though  
it had been sought for days by the De-  
partment of Justice. On the day it was  
issued Martens was subpoenaed by the  
Senate. It was not served until the Sen-  
ate failed with him yesterday.  
The memorandum brief prepared by Mr.  
Hoover presented the results of Gov-  
ernment investigations to show that  
Martens is a member of the Communist  
party of Russia and that the organiza-  
tion believes in, teaches and advocates  
the overthrow of the Government of the  
United States by force or violence. It  
presents the propaganda of the party  
in this country and abroad and shows  
that it was tried upon the military  
forces of the United States in Russia,  
which were urged to rise against their  
Government.

### Points Against Martens.

Mr. Hoover gives the following con-  
clusions:

It is contended that the following  
points have been established:

That L. C. A. K. Martens is a  
member of the Russian Communist  
party.

That the Communist party of Rus-  
sia is the ruling party in that coun-  
try and virtually directs the destiny  
of the Russian Socialist Federated  
Soviet Republic.

That the Communist party of Rus-  
sia and the Russian Socialist Fed-  
erated Soviet Republic jointly are  
directly responsible for the calling  
and organizing of the I. L. I. Com-  
munist International at Moscow on  
March 2 to 6, 1919.

That the manifesto issued by the  
I. L. I. Communist International is a  
direct advocacy of the overthrow of  
the Government of the United States  
by force and violence.

That the Russian Communist party  
has by propaganda endeavored to  
carry out the tactics and principles  
of the I. L. I. Communist Interna-  
tional and has directed such propa-  
ganda to the workers, soldiers and  
sailors of the United States.

It will thus be seen that Ludwig  
Christian Alexander Kaslovitch Mar-  
tens is a member of the Russian  
Communist party, which party ad-  
vocates the overthrow of the Govern-  
ment of the United States by force  
and violence, and for that reason  
falls within the provision of the act  
of Congress, approved October 16,  
1918, being a member of an orga-  
nization advocating the overthrow of  
the Government of the United States  
by force and violence.

A photostat copy of Martens's tes-  
timony before the Lusk committee de-  
claring his affiliation with the Russian  
Communist party is attached to the  
brief, together with the manifesto and  
other propaganda issued calling for re-  
volution and the use of force and vi-  
olence.

Facts are presented to show that  
Martens as a citizen of Germany under  
the laws of the United States. This  
means that if he is deported he will be  
deported to Germany and not to Russia.  
His reception by whatever German au-  
thorities are in power, in view of the  
situation in that country, is problemat-  
ical.

It is brought out that Martens was  
born in Russia of German parents and  
was registered by them in a German  
consulate. He applied for Russian citi-  
zenship under the old regime and it was  
denied to him, as he had not served his  
term in the German army. He later  
was arrested as a revolutionist, and  
upon his release was turned over to



The reason why discrim-  
inating New Yorkers  
go downtown for  
luncheon and dinner.

Dinner a la carte with music  
5 to 9 P. M.

German authorities, who put him in the  
German army.

When the revolution broke out in  
Russia in 1918 Martens attempted to re-  
join his revolutionary comrades, but ac-  
cording to the country was denied to  
him. He emigrated himself in, but soon  
left. In August, 1914, he registered in  
England as an alien enemy, when war  
was declared on Germany. He now  
asserts that Russian citizenship was  
granted to him by the Lenin-Trotsky  
regime.

### TO PAY \$4,840 OR GO TO JAIL.

Ex-Attorney, Who Misappropri-  
ated Funds, Held in Contempt.

Herbert Reeves, former attorney, who  
was sent to Sing Sing prison for mis-  
appropriation of funds belonging to  
Mrs. O. H. P. Belmont, was declared in  
contempt of court yesterday by Supreme  
Court Justice Greenbaum and fined  
\$4,840.

Unless he pays this sum before April  
12 a warrant for his commitment to  
Ludlow Street Jail will be issued.

## TAX BILLS AIM TO CUT LIVING COST

Continued from First Page.

The more radical group of Senators and  
Representatives insist that higher in-  
come and inheritance taxes should be  
made to bear a larger part of the burden.  
Thus Senator Gronna (N. D.) declared  
that the earners of the big profits had  
been the chief propagandists in favor of  
repelling the excess profits taxes, and  
if the aim to get rid of them they  
would have to show that the new plan  
would reduce prices.

### Hesitate on Sales Tax.

The Senator admits the evils that  
have attended the enforcement of the  
excess profits levy, but believes that  
these evils would attend a sales tax as  
well. At any rate he says the people  
who favored the excess profits taxes  
will insist on being shown before they  
accept any alternative on the plea of  
bringing prices down.

Senator McNary (Ore.) took much  
the same view. Senator Penrose (Pa.),  
chairman of the Finance Committee,  
has not been convinced that a sales  
tax will help reduce prices. A good  
deal of effort has been directed to win-  
ning his powerful support to the plan,  
but he remains unconvinced, according  
to his associates. He will not be in  
Washington before April 18, according  
to a letter received from him today,  
so the early discussions of the subject  
will start without him.

Representative Fordney (Mich.),  
chairman of the Ways and Means Com-  
mittee, stands squarely with Senator  
Smoot in favor of the sales tax plan,  
and the House Republican leaders seem  
to lean the same way. In fact they  
have a program worked out, the de-  
tails of which are not to be made public  
yet. It will be discussed in the coming  
conference, and Senator Penrose has  
indicated that till he has time to ex-  
amine it and study the whole matter  
in detail he will not finally decide his  
attitude.

One reason for urgency in considering

the taxation programme is the possi-  
bility that soldiers' bonus legislation  
may pass and make it necessary im-  
mediately to raise a largely increased  
revenue.

## MOTORS KILL FOUR IN STREETS OF CITY

Three Children Are Badly In-  
jured by Cars.

Four persons were killed and three  
injured yesterday by automobiles in the  
streets. Anne Gold, 8, of 225 East 164th  
street, was playing in the street just as  
it was getting dark last night when a  
wagon and a truck came toward her  
from opposite directions. She tried to  
hurry to the curb, but fell and was  
struck by the automobile. The chauff-  
eur, John Phalen, called an ambulance,  
but the girl was dead when it arrived.

Leon Gerber, 60, of 201 West 114th  
street, was killed at Fifth avenue and  
104th street by a truck driven by Perry  
Forrest of 205 West Sixty-second street.  
He had barely left the curb to cross the  
street when he was struck.

Pasquale Zazino, 45, of 107 Stage  
street, was killed by a truck while on  
his way to work at Broadway and Hay-  
ward street, Brooklyn, yesterday morn-  
ing. The driver, Gustave Kregendorf,  
30, of Jamaica, was held pending in-  
vestigation.

Frank Kelley, 32, of 500 Richmond  
terrace, New Brighton, died in the  
Staten Island Hospital where he was  
taken after he had driven his taxicab  
at high speed into a trolley car at St.  
George. Frank Prescott, 30, of 17 Con-  
nell avenue, West Brighton, a passenger  
in the taxi, was unhurt.

### Man Walked Through Fire.

Casper, Wyo., March 30.—Fire de-  
stroyed the acid plant of the Midwest  
Refining Company, with an estimated  
loss of \$50,000. An employee walked  
into the fire with five streams of water  
playing on him and shut off the oil sup-  
ply line. This act saved a long row of  
stills from the flames.

## RAILROADS TRYING TO GET BACK CARS

Now Scattered Over Country  
on Foreign Lines.

Special to THE SUN AND NEW YORK HERALD.  
WASHINGTON, March 30.—Efforts  
are being made by the car service sec-  
tion of the American Railway Associa-  
tion to return to home lines the freight  
cars of the country which under Federal  
control were scattered on foreign lines  
wherever they were needed.

W. C. Kendall, chairman of the com-  
mission, announced today a drive to  
increase bituminous coal production  
through return of the cars to the mines  
as rapidly as possible and to expedite  
the shipments of coal through the lake  
ports and the return of ore through  
these ports by getting back to the home  
lines serving these ports all of the dump  
equipment possible.

At present it is stated only about 25  
per cent. of the freight cars of the coun-  
try are on home lines and that the other  
75 per cent. is scattered about the  
United States on foreign lines. The  
executive committee of the association  
are making every effort to re-  
cover this equipment, and under car ser-  
vice rules now established cars on for-

## BARNUM WAS RIGHT

P. T. Barnum once re-  
marked that there was a  
fool born every minute.  
He referred to investors en-  
snared daily by tempting  
opportunities at unusual  
interest rates.

Wise men invest in Guar-  
anteed First Mortgage Cer-  
tificates, which are abso-  
lutely safe.

The present rate is 5 1/2% net.

Any amount over \$100.

No loss in 27 years to any investor.

We guarantee there never shall be.

Send for Booklet F-48

LAWYERS MORTGAGE CO.

RICHARD M. HURD, President

Capital and Surplus \$1,000,000

60 Liberty St., N. Y. 184 Montague St., Bklyn.

Loan lines must be paid for at the rate

of 90 cents a day, the highest rate ever

exact. Home lines want to secure and

keep in condition their own equipment,

which is best suited to local needs.

The Store is closed at 5 P. M. daily

## B. Altman & Co.

## The Spring Chapeaux

assembled in the Millinery Salon on  
the Third Floor

represent in an unusual degree the  
charming vivacity of youth. Many of  
them—created by the leading French  
modistes—are recently from Paris;  
others are fresh from B. Altman & Co.'s  
own ateliers; all are suggestive of the  
joyousness of Spring.

Every type of feminine attractiveness  
has been provided for in these new  
models. For the riant face there are  
coquettish shapes showing flowers  
cunningly placed, and perhaps the ad-  
dition of the fascinating "suivez-moi"  
streamers of our grandmothers' day.  
For the demure there are, among  
others, charming hats of the shep-  
herdess order; and for everyone there  
are hats of varying degrees of piquancy,  
with brims rolled, or pinched—or per-  
haps missing altogether. And flowers  
—oh, yes, there are flowers (and rib-  
bons) everywhere.

Madison Avenue - Fifth Avenue

34th and 35th Streets

New York

POLITICAL.

POLITICAL.

## TO JOHNSON ADMIRERS IN NEW YORK STATE:

We plead for your assistance. Senator Johnson has no cam-  
paign funds and no great organization of money interests to  
furnish millions for his campaign. He is more interested in the  
welfare of the common people than he is in the great international  
banking interests. Consequently the great interests are for his  
opponent. He wants no great military programme. He is unalter-  
ably opposed to the League of Nations and the proposition that we  
finance the great European Nations and send our soldiers and our  
navy across the seas to guarantee every boundary line in Europe  
and the possession of the lands and peoples and spoils of war taken  
by European nations. He is also against giving England six votes  
to our one in the League so we could be voted to do her will,  
whether we wanted to or not at any time she saw fit.

HE IS AGAINST THE WIELDER OF THE BOMB AND  
TORCH, and the MAN WHO WOULD PULL DOWN OUR GOV-  
ERNMENT BY FORCE, and he would inflict the extreme penalty  
of the law upon them. But he is for Freedom of Speech, and the  
right of lawful assembly. But he is not for political domination  
by big moneyed interests who are at this time counteracting the  
will of the people by subsidizing candidates for the Presidency.

He has been twice California's best Governor, and is acknowl-  
edged to be the best Governor this country has produced. He was  
elected to the Senate by 296,000 majority. The greatest majority  
ever given any candidate for that office from any state. His work  
in the Senate for the last three years is only a sample of what  
he is capable of doing as President. He is the only man before  
the voters who has the advantage of complete and thorough ex-  
perience in statesmanship gained by serving the people both as Gov-  
ernor and Senator.

(This advertisement is inserted and paid for by a Bay City,  
Michigan, admirer of Senator Johnson, who is personally ac-  
quainted with him, who believes in the principles for which he  
stands and likes him for his real humanity.)

We beg not only your political support, but also your financial  
assistance for this big, clean, American. Funds forwarded will be  
used immediately to insert other advertisements and to keep things  
booming until the end of this campaign. Send your check or  
currency immediately, if it is for not more than a dollar, to Angus  
McSweeney, Johnson Headquarters, Hotel Pennsylvania, New York  
City. It all depends upon you whether or not Johnson advertise-  
ments live or die with this issue.

Put your State in Johnson column by voting for Johnson  
delegates. The primary election is on April 6.

## Wake Up and Help

NAME .....

ADDRESS .....

SUBSCRIPTION .....

SEND TO TREASURER, ANGUS MCSWEENEY,

JOHNSON HEADQUARTERS,

HOTEL PENNSYLVANIA, NEW YORK.

## Easter Books

Fine Editions of English  
Poets, Devotional Books,  
Bibles and Prayer Books

DUTTON'S

681 Fifth Avenue

Opposite St. Thomas's Church

is most interesting, offering as it does a wide

selection, both in taste and price. And in

order that we may continue to keep complete

this exclusive display of Paris' newest fan-  
cies, each ship from France brings us new  
merchandise.

## GRANDE MAISON DE BLANC INC.

FIFTH AVENUE, 4